

NOTE: This order is nonprecedential.

**United States Court of Appeals
for the Federal Circuit**

In Re ENTRESTO (SACUBITRIL/VALSARTAN)
.....

NOVARTIS PHARMACEUTICALS CORPORATION,
Plaintiff-Appellant

v.

**TORRENT PHARMA INC., TORRENT
PHARMACEUTICALS LTD.**
Defendants-Appellees

.....

NOVARTIS PHARMACEUTICALS CORPORATION,
Plaintiff-Appellant

v.

**ALEMBIC PHARMACEUTICALS LIMITED,
ALEMBIC PHARMACEUTICALS INC.,**
Defendants

.....

NOVARTIS PHARMACEUTICALS CORPORATION,
Plaintiff-Appellant

v.

**MSN PHARMACEUTICALS, INC., MSN
LABORATORIES PRIVATE LTD., MSN LIFE
SCIENCES PRIVATE LTD.,**
Defendants-Appellees

**HETERO USA, INC., HETERO LABS LIMITED,
HETERO LABS LIMITED UNIT-III,**
Defendants

2023-2218, 2023-2220, 2023-2221

Appeals from the United States District Court for the District of Delaware in Nos. 1:19-cv-02021-RGA, 1:19-cv-02053-RGA, and 1:20-md-02930-RGA, Judge Richard G. Andrews.

NOVARTIS PHARMACEUTICALS CORPORATION,
Plaintiff-Appellant

v.

**TORRENT PHARMA INC., TORRENT
PHARMACEUTICALS LTD.**
Defendants-Appellees

2023-2219

Appeal from the United States District Court for the District of Delaware in No. 1:19-cv-01979-RGA, Judge Richard G. Andrews.

ON MOTION

IN RE ENTRESTO (SACUBITRIL/VALSARTAN)

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PER CURIAM.

ORDER

In these consolidated appeals, Torrent Pharma Inc. and Torrent Pharmaceuticals Ltd. (collectively, “Torrent”) and Novartis Pharmaceuticals Corporation jointly move for a limited remand of Appeal Nos. 2023-2218 (as to Torrent only) and 2023-2219 to the United States District Court for the District of Delaware.

Novartis and Torrent state that they have reached a contingent settlement and requested an indicative ruling from the district court that it would grant a motion to vacate certain decisions were the case remanded. The district court has indicated that it would grant their motion upon remand, and Novartis and Torrent now move to remand so that the district court can consider such motion.

We grant the motion to the extent that we remand for the limited purpose of the district court’s consideration of Novartis and Torrent’s motion. *See Ohio Willow Wood Co. v. Thermo-Ply, Inc.*, 629 F.3d 1374, 1375 (Fed. Cir. 2011). In granting the motion, this court takes no position as to whether the district court should grant the motion for vacatur.

Upon consideration thereof,

IT IS ORDERED THAT:

(1) Appeal No. 2023-2219 is deconsolidated from Appeal Nos. 2023-2218, 2023-2220, and 2023-2221. The revised official captions are reflected in this order.

(2) The motion is granted to the limited extent explained above. This court retains jurisdiction over Appeal Nos. 2023-2218 and 2023-2219. Novartis and Torrent shall inform this court within three days after the district court’s resolution of their motion whether Torrent continues to

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IN RE ENTRESTO (SACUBITRIL/VALSARTAN)

participate in Appeal No. 2023-2218 and whether Appeal No. 2023-2219 is to be dismissed.

FOR THE COURT



August 22, 2024
Date

Jarrett B. Perlow
Clerk of Court

cc: United States District Court for the District of Delaware